

UNITED STATES DISTRICT COURT

for the

District of _____

Division _____

Case No. 24CV925

(to be filled in by the Clerk's Office)

Jury Trial: (check one) ☐ Yes ☐ NoTyrone A. Andrews

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

Duke Energy et al

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

COMPLAINT FOR A CIVIL CASE

I. The Parties to This Complaint

A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name

Street Address

City and County

State and Zip Code

Telephone Number

E-mail Address

Tyrone A. Andrews3465 W. 3rd StreetStaley, NC 27355919 743 557 1030Tyandaps@yg.hoo.com

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

Defendant No. 1

Name

Job or Title (if known)

Street Address

City and County

State and Zip Code

Telephone Number

E-mail Address (if known)

Duke Energy, Lynn Good
Chair, President and CEO
525 South Tryon Street
Charlotte
NC 28202
800 488 3853

Defendant No. 2

Name

Job or Title (if known)

Street Address

City and County

State and Zip Code

Telephone Number

E-mail Address (if known)

NC Utilities Commission. Charlotte
A. Mitchell - Chair
430 N. Salisbury St.
Raleigh, NC 27603
919 733 7328

Defendant No. 3

Name

Job or Title (if known)

Street Address

City and County

State and Zip Code

Telephone Number

E-mail Address (if known)

Defendant No. 4

Name

Job or Title (if known)

Street Address

City and County

State and Zip Code

Telephone Number

E-mail Address (if known)

II. Basis for Jurisdiction

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? (check all that apply)

☒ Federal question *no m p o l d* ☐ Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

A. If the Basis for Jurisdiction Is a Federal Question

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

no m p o l d

B. If the Basis for Jurisdiction Is Diversity of Citizenship**1. The Plaintiff(s)****a. If the plaintiff is an individual**

The plaintiff, (name) Tyrese Andrews, is a citizen of the
State of (name) North Carolina.

b. If the plaintiff is a corporation

The plaintiff, (name) _____, is incorporated
under the laws of the State of (name) _____,
and has its principal place of business in the State of (name) _____.

(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)

2. The Defendant(s)**a. If the defendant is an individual**

The defendant, (name) _____, is a citizen of
the State of (name) _____. Or is a citizen of
(foreign nation) _____.

b. If the defendant is a corporation

The defendant, (name) Duke Energy, is incorporated under the laws of the State of (name) North Carolina, and has its principal place of business in the State of (name) North Carolina.
Or is incorporated under the laws of (foreign nation) _____, and has its principal place of business in (name) _____.

(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)

3. The Amount in Controversy

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because (explain):

Service was disconnected

III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

see three pages

IV. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

See three pages

D

this case has ensued because my electric is currently off. According to the Utilities Commission, my lights will not be disconnected during the pendency of my case. Also, the Attorney that first gave hearing said, "I could pay what I want when I want." This held true until a few weeks ago. My question is why now. The case is not over. My lights are the only ones off in my neighborhood. My motion is requesting you order my lights be restored.

2

My Complaint began because my bill was high. I requested Duke to check the line and meter. Duke refused. When time for hearing, the Commission talked about me not paying my bill. This case was about my meter and line check to reduce my bill if need. I completed the next steps to appeal. Duke nor the Commission completed what they were suppose to complete.

If the Court have questions please ask me. I appealed, until the pendency of this case my lights should be on.

(3)

I am requesting the Court to order Duke to restore my power. Also requesting the Utilities Commission to complete my appeal process. My part is complete.

When my lights were shut off, I contacted Duke and informed where this case was. I

was only asked for payment. I, also, called the Utilities Commission and they ignored me. Payed me no attention. Did not offer a payment

plan. Niesher parties wanted justice.

Duke Energy is a monopoly. No other electric company to go to. If Duke says no it is

NO.